



FACT SHEET

Unaffiliated Candidates **2018 Election**

1) How may an unaffiliated candidate appear on the ballot for the general election? ([NCGS §163-122¹](#))

An individual who seeks to run as an unaffiliated candidate must submit a petition to the appropriate elections office.

The prospective candidate must first complete and submit a [petition request form](#) to the board of elections with jurisdiction over the contest. This form enables the appropriate board of elections to enter the petition into its system and helps the petitioner meet the legal requirements for a successful petition.

Once the petitioner has completed and submitted the petition request form, the elections board will provide a recommended template for the petition pages to be circulated. The petitioner must collect the required number of signatures and return the petition signatures sheets prior to the statutory deadline. The board of elections will check the signatures and inform the petitioner whether he or she has qualified. An individual who successfully qualifies as an unaffiliated candidate will be listed on the ballot for the general election.

The number of petition signatures required, the due date for the petitions, and the appropriate elections board with jurisdiction are determined by the type of office sought:

- A. Statewide Offices (U.S. Senate, Governor, Council of State, Supreme Court, and Court of Appeals):** Petitions for these offices must be signed by 2% of the total number of North Carolinians who voted in the most recent general election for governor. [In 2018 and 2020, the number of required signatures will be **95,393** signatures]. Persons who sign must be registered North Carolina voters.

Completed petitions for these statewide offices are subject to two deadlines because they must be handled by both county board of elections and the State Board of Elections:

¹ As of the time of writing, the general statutes had not been updated to reflect recent statutory changes. Those changes were made by [Session Law 2017-3](#).

1st deadline: The petitioner must file signature pages with the appropriate county boards of elections by noon on the second Wednesday prior to the primary. In 2018, the deadline is **April 25, 2018**.

Petition signature pages must be separated by county; each signature page submitted to the county board of elections shall contain only names of voters in that county.

The purpose of the first deadline is to permit each county board of elections to verify the signatures and ensure that each signer is an eligible voter for the contest in question. Verification must be completed by each of the county boards of elections in time for the chair of each county board of elections to submit the verified signature pages to the State Board of Elections by the second deadline.

2nd deadline: The chair of each county board of elections must file the signature pages with State Board of Elections by 15 business days after the canvass of the primary. In 2018 the deadline for the county board of elections is **June 8, 2018**.

B. Certain District Offices (U.S. House, North Carolina House and Senate offices for districts that cover more than one county, district attorney):

Petitions for these offices must be signed by the number of registered voters in the district equaling 4% of the total number of registered voters in that district as of January 1 of the election year. [This data](#) will be updated when it becomes available for 2018.

Petitions for these offices subject to two deadlines because they must be handled by both county and state board offices:

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Petition signature pages must be separated by county; each signature page submitted to the county board of elections shall contain only names of voters in that county. The purpose of this **first deadline** is to permit each county to verify the signatures to ensure that each signer is an eligible voter for the contest. Verification must be completed by each of the county boards of elections in time for the chair to submit the verified signature pages to the State Board of Elections by the second filing deadline.

2nd deadline: The chair of the county boards of elections must file the verified signature pages with State Board of Elections by 15 business days after the canvass of the primary. In 2018, the deadline for the county board of elections is **June 8, 2018**.

C. District Court and Superior Court Judges: This petition must be signed by qualified voters of the district in equal number to 2% of the total number of registered voters in the district as of January 1 of the election year. [This data](#) will be updated when it becomes available for 2018.

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D. County offices (such as Sheriff, Register of Deeds and County Commissioner) and State House and Senate offices in districts that lie only within one county:

This petition must be signed by the number of registered voters in the district equaling 4% of the total number of registered voters in the district as of January 1 of the election year. [This data](#) will be updated when it becomes available for 2018.

The petitioner must file signature pages with the county board of elections by noon on the second Wednesday prior to the primary. In 2018, the deadline is **April 25, 2018**. County board of elections staff will verify that signers meet applicable requirements by 15 business days after the canvass of the primary. In 2018, the date is **June 8, 2018**.

Before gathering signatures, petitioners should check with the relevant board of elections to inquire about eligibility requirements for signers.

2) Is there a filing fee to run as an unaffiliated candidate? ([NCGS § 163-107](#))

Yes. Generally, the filing fee is 1% of the annual salary of the elected office. Please check the [fact sheet](#) for the contest being considered.

3) When is the General Election? ([NCGS § 163-1\(c\)](#))

The Tuesday after the first Monday in November. In 2018, the general election is **Tuesday, November 6, 2018.**

4) I lost a partisan primary contest. May I run as an unaffiliated candidate to appear on the general election ballot for that same contest? ([NCGS § 163-122\(a\)](#))

No, not for the same office in the same year. North Carolina's "sore loser" statute prohibits a candidate who loses in a primary election from running in the general election.

5) May I run as an unaffiliated candidate even if I am affiliated *as a voter* with a political party? ([NCGS § 163-122\(a\)](#))

Yes. An unaffiliated candidate simply means that your *candidacy* is not affiliated with a political party. Your *voter registration affiliation* does not affect your eligibility to be an unaffiliated candidate.

6) What are the campaign reporting requirements? ([NCGS §163-278.9](#))

The Campaign Reporting Act requires financial disclosure of all political activities. Reports for candidates running for statewide offices, judicial offices, district attorney offices, and State House and State Senate offices are filed with the State Board of Elections campaign reporting office. Reports for candidates running for county offices and local offices are filed with the county board of elections office. The time of filing of these reports, and the types of reports will vary by the type of campaign. Every candidate is responsible for compliance with campaign reporting laws. The most recent [Candidate Campaign Finance Manual](#) is available online on the State Board of Elections' website. *Please contact your local or state elections office for more information.*

The law requires that the treasurer of every campaign committee receive training in campaign finance law, rules and regulations. This can be accomplished online or in-person at numerous training sessions offered by the State Board of Elections.

IMPORTANT: An organizational report must be filed with the appropriate elections office within ten days of becoming a candidate. The term "candidate" means any individual who, with respect to any public office, "has taken positive action for the purpose of bringing about that individual's nomination, retention, or election to public office." G.S. § 163-278.6(4). Examples of positive action include, but are not limited to filing a notice of candidacy, filing a notice to be retained, or a petition requesting to be a candidate; being certified as a nominee of a political party for a vacancy; otherwise qualifying as a candidate in a manner authorized by law; making a public announcement of a definite intent to run for public office in a particular election; or receiving funds or making payments or giving the consent for anyone else to receive funds or transfer anything of value for the purpose of bringing about that individual's nomination or election to office. Blank reporting forms are

available [here](#). The office of the State Board of Elections and your local County Board of Elections are also available to help.

7) Are there other filings required of certain candidates? ([NCGS § 138A-22](#))

The State Government Ethics Act requires that certain “covered persons” file a statement of economic interest when filing for office. Please refer to the [State Ethics Commission](#) to determine whether an office you are interested is subject to this requirement.